

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHARON ROZEBOOM and ANTHONY
LAVALLEY, individually and on behalf of all
other similarly situated individuals,

Plaintiffs,

v.

DIETZ & WATSON, INC.,

Defendant.

Case No. 2:17-cv-01266-RAJ

**DECLARATION OF BREANNE
MARTELL IN SUPPORT OF
DEFENDANT DIETZ & WATSON,
INC.'S OPPOSITION TO
PLAINTIFFS' MOTION FOR
CONDITIONAL CLASS
CERTIFICATION AND COURT-
AUTHORIZED NOTICE**

**NOTED FOR HEARING: DECEMBER
1, 2017**

DECLARATION OF BREANNE MARTELL

I, Breanne Martell, declare as follows:

1. I am an attorney with the law firm of Littler Mendelson, attorneys of record in this matter for Defendant Dietz & Watson, Inc. ("Dietz"). I make this declaration in support of Defendant Dietz's Opposition to Plaintiffs' Motion for Conditional Class Certification and Court-Authorized Notice.

2. I have personal knowledge of the matters contained in this declaration, and if called to do so, can testify competently to the same.

3. In my capacity as Dietz's attorney in this case, I directed my staff to conduct an online internet search of LinkedIn for the named Plaintiffs and Opt-In Plaintiffs. Attached to this Declaration are true and correct copies of LinkedIn Profiles we found and printed as follows:

Exhibit 1: Plaintiff Rozeboom's LinkedIn Profile;

Exhibit 2: Opt-In Plaintiff R. Suchan's LinkedIn Profile;

Exhibit 3: Opt-In Plaintiff Antolic's LinkedIn Profile; and

Exhibit 4: Opt-In Plaintiff K. Suchan's LinkedIn Profile.

4. Defendant served its First Set of Interrogatories and Requests for Production on Plaintiffs and opt-in Plaintiffs on October 18, 2017. Their responses were due on November 17, 2017. To date, none of the Plaintiffs or opt-in Plaintiffs have responded to Defendant's discovery requests. Among these discovery requests were requests that would have required the Plaintiffs and opt-in Plaintiffs to produce their LinkedIn Profiles.

I declare under penalty of perjury under the laws of the United States of America, 28 U.S.C. § 1746, that the foregoing is true and correct.

Dated: November 27, 2017

s/ Breanne Martell
BREANNE MARTELL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I am a resident of the State of Washington, over the age of eighteen years, and not a party to the within action. My business address is One Union Square, 600 University Street, Ste. 3200, Seattle, WA 98101. On November 27, 2017, I electronically filed the foregoing document(s) with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

ATTORNEYS FOR PLAINTIFFS	
Toby J. Marshall, WSBA #32726 tmarshall@terrellmarshall.com TERRELL MARSHALL LAW GROUP PLLC 936 North 34th Street, Suite 300 Seattle, Washington 98103-8869 Telephone: (206) 816-6603 Facsimile: (206) 319-5450	Jason D. Friedman <i>Pro Hac Vice</i> friedman@nka.com Rebekah L. Bailey <i>Pro Hac Vice</i> bailey@nka.com NICHOLS KASTER, PLLP 4600 IDS Center 80 South 8th Street Minneapolis, MN 55402 Telephone: (612) 256-3200 Facsimile: (612) 215-6870

Executed on November 27, 2017, at Seattle, Washington.

s/ Sally Swearinger

Sally Swearinger

sswearinger@littler.com

LITTLER MENDELSON, P.C.

Firmwide:151327565.1 095532.1001